**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE M.N.KRISHNAN**

**THURSDAY, THE 12TH JULY 2007 / 21ST ASHADHA 1929**

**Tr.P(C).No. 14 of 2007()**

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**( OP(MV)1087/1999 of MOTOR ACCIDENT CLAIMS TRIBUNAL, PUNALUR)**

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**PETITIONERS:**

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1. **MAJIDA BEEVI, W/O.LATE ABDUL KARIM, AGED 52, THOPPIL VEEDU, VALANCHUZHY, PATHANAMTHITTA.**

2. **SHAJILA KARIM, D/O.LATE ABDUL KARIM, AGED 18, RESIDING AT THOPPIL VEEDU, VALANCHUZHY, PATHANAMTHITTA.**

3. **SHIJU KARIM (MINOR) AGED 15 YEARS, REPRESENTED BY THE MOTHER MAJIDA BEEVI, THOPPIL VEEDU, VALANCHUZHY, PATHANAMTHITTA.**

**BY ADV. SRI.C.S.MANILAL**
**SRI.M.K.SUBHAKARAN**

**RESPONDENTS:**

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1. **K.JAMEELA BEEVI, SHEEJA MANZIL, MADATHARA P.O., CHITHARA, KOTTARAKKARA.**

2. **SHEEJA, D/O.JAMEELA BEEVI, SHEEJA MANZIL, MADATHARA, CHITHARA, KOTTARAKKARA.**

**...2/-**

3. SHAJI, S/O.JAMEELA BEEVI,
   SHEEJA MANZIL, MADATHARA, CHITHARA,
   KOTTARAKKARA.

4. THE BRANCH MANAGER,
   UNITED INDIA INSURANCE COMPANY LTD.,
   BRANCH OFFICE, HANDICRAFT BUILDING INDIA,
   GANDHI ROAD, W.ISLAND, COCHIN.

5. SHERIJOM JAMES, NIRAPATH HOUSE,
   KODALIKKADU P.O., MOOVATTUPUZHA,
   (OWNER OF THE VEHICLE).

6. NAJEEM, NAJUMA MANZIL,
   MARUR MURI, PATHANAMTHITTA.

BY ADV. SRI.S.MUHAMMED HANEEFF for R6
SRI.S.MAMMU for R4

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**M.N.KRISHNAN, J**

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**Tr.P.(C) No.14 OF 2007**

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**Dated this the 12th day of July, 2007**

**JUDGMENT**

This petition is preferred to transfer O.P.(MV)No.1087 of 1999 pending before the Motor Accidents Claims Tribunal, Punalur be transferred to the Motor Accidents Claims Tribunal, Pathanamthitta for joint trial and disposal with O.P.(MV)No.744 of 1998 pending before that Tribunal. Notice to all except R5 served. I am informed that R5 has already remained ex parte and therefore notice to him is dispensed with. It is averred in the transfer petition that an earlier application filed by the applicants for transferring the case to Punalur MACT was dismissed by this court for non-prosecution. Now the compensation claimed relates to the death of one individual and two sets of people are claiming compensation. So, it is desirable that the case is tried by one and the same authority for a proper determination. Therefore O.P.(MV)No.1087 of 1999 pending before the Motor Accidents Claims Tribunal, Punalur be transferred to the Motor Accidents Claims Tribunal, Pathanamthitta for joint trial and disposal with O.P.(MV)No.744 of 1998. The MACT, Punalur shall give notice to both

parties before actually effecting transfer.

Tr.P.C. is disposed of as above.

**M.N.KRISHNAN, JUDGE**

**Cdp/-**